

# MANDATE

E.D.N.Y.-Bklyn.  
16-cv-4963  
Dearie, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 2<sup>nd</sup> day of August, two thousand twenty-one.

Present:

Richard J. Sullivan,  
Michael H. Park,  
Steven J. Menashi,  
*Circuit Judges.*

Lazaro Gilocompo,

*Petitioner-Appellant,*

v.

21-508

Superintendent Darwin LaClair, Department of Corrections  
and Community Supervision,

*Respondent-Appellee.*

Appellant moves for a certificate of appealability and Respondent moves for leave to file a late opposition. Upon due consideration, it is hereby ORDERED that the motion for leave to file is GRANTED. It is further ORDERED that the motion for a certificate of appealability is DENIED and the appeal is DISMISSED because Appellant has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003) (discussing certificate of appealability standard).

FOR THE COURT:  
Catherine O’Hagan Wolfe, Clerk of Court

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

 

MANDATE ISSUED ON 08/23/2021